

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ATLANTIC RECORDING CORPORATION, et al.,

Plaintiffs,

vs.

Case No. 06-CV-10297
HON. GEORGE CARAM STEEH

GEORGE BLAND,

Defendant.

_____/

ORDER DISMISSING SHOW CAUSE ORDER (#5)
AND EXTENDING SUMMONS THROUGH AUGUST 23, 2006

On June 22, 2006, the plaintiffs were ordered to show cause by July 10, 2006 why this case should not be dismissed for lack of prosecution. Plaintiffs' complaint was filed on January 23, 2006, and defendant Bland had yet to be served. By operation of Federal Rule of Civil Procedure 4(m), this lawsuit became subject to dismissal without prejudice on May 23, 2006 when proof of service within 120 days was not filed with the court. Plaintiffs filed a timely response to the show cause order demonstrating through the attestations of a process server that personal service was attempted eight times between March 10, 2006 through May 27, 2006 at defendant's last known address. Plaintiffs maintain they have since located another address for defendant.

Plaintiffs' have shown cause for not dismissing this lawsuit, at this time, without prejudice. Plaintiffs have also shown cause for extending the time for service of the summons and complaint for 90 days beyond the initial 120 day period, through August 23, 2006. Fed. R. Civ. P. 4(m). Accordingly,

The court's order requiring plaintiffs to show cause is hereby DISMISSED. Plaintiffs are hereby GRANTED an extension of the time for service through August 23, 2006.

SO ORDERED.

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: July 17, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on July 17, 2006, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk